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| APPLICATION NO.                       | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/541,274                            | 01/05/2006  | Bernd Rommel         | SCH-00114           | 7708             |
| 30853                                 | 7590        | 04/24/2008           | EXAMINER            |                  |
| WARN, HOFFMANN, MILLER & LALONE, .P.C |             |                      | LIVEDALEN, BRIAN J  |                  |
| PO BOX 70098                          |             |                      | ART UNIT            | PAPER NUMBER     |
| ROCHESTER HILLS, MI 48307             |             |                      | 2878                |                  |
| MAIL DATE                             |             | DELIVERY MODE        |                     |                  |
| 04/24/2008                            |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/541,274             | ROMMEL, BERND       |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | BRIAN J. LIVEDALEN     | 2878                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 February 2008.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1 and 3-16 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1 and 3-16 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## DETAILED ACTION

This action is in response to the amendment filed 2/19/2008. Claims 1 and 3-16 are pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-5, and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynam et al. (6019475) in view of Turnbull et al. (6980092).

In regard to claim 1, Lynam discloses (figs. 3 and 4) an interior rearview mirror (column 10, lines 50-55) for vehicles having a mirror housing (12) in which is accommodated at least one electronics circuit board (27) for at least one sensor (42a), the sensor being arranged in the detection region for signals arriving at the interior rearview mirror from outside (column 6, lines 60-67; column 8, 16-35), wherein the sensor is seated on a sensor board (16), that is spatially separated from and connected by signals to the electronics circuit board (column 5, lines 25-37, column 8, 16-35); wherein the sensor board is arranged in the region between an actuator drive (27a, 20) of the interior rearview mirror and mirror glass (14a) (column 7, lines 7-15). Lynam remains silent regarding the sensor board being a circuit board. However, Turnbull discloses (fig. 9D) incorporating a sensor circuit board (110) as the backing of the mirror (40) for placing sensing elements (column 12, lines 18-31). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to incorporate a circuit board in Lynam as taught by Turnbull, in order to provide an inexpensive and durable mechanical and electrical connection for the sensor as well as any other electrical components to be incorporated therein.

In regard to claim 12, Lynam discloses (figs. 3 and 4) an interior rearview mirror (column 10, lines 50-55) for a vehicle having a mirror housing (12); at least one electronics circuit board (27) located in the mirror housing; at least one sensor (42a), the sensor being arranged in the detection region for signals arriving at the interior rearview mirror from outside (column 6, lines 60-67; column 8, 16-35), a sensor board (16) that is spatially separated from and connected by signals to the electronics circuit board; the sensor board located in the mirror housing, the sensor being operably connected to the sensor circuit board and the sensor is positioned at least partially in the mirror housing (column 5, lines 25-37, column 8, 16-35). Lynam remains silent regarding the sensor board being a circuit board. However, Turnbull discloses (fig. 9D) incorporating a sensor circuit board (110) as the backing of the mirror (40) for placing sensing elements (column 12, lines 18-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a circuit board in Lynam as taught by Turnbull, in order to provide an inexpensive and durable mechanical and electrical connection for the sensor as well as any other electrical components to be incorporated therein.

In regard to claims 3 and 14, Lynam discloses (fig. 4) that the sensor circuit board (202) is attached at the edge of the mirror housing.

In regard to claims 4 and 15, Lynam discloses (figs. 3 and 4) that the sensor circuit board and the electronics circuit board are connected to one another by at least one flexible line (41) (column 8, 16-35).

In regard to claim 5, Lynam discloses that the flexible line is a conductive trace (column 8, 16-35).

In regard to claim 7, Lynam discloses (figs. 3 and 4) that the sensor is accommodated in a receiving opening in the edge of the mirror housing.

In regard to claim 8, Lynam discloses (figs. 3 and 4) that the sensor is centered on the edge of the mirror housing.

In regard to claims 9 and 16, Lynam discloses (figs. 3 and 4) that the sensor is an EC headlight glare sensor (column 5, lines 30-35).

In regard to claim 10, Lynam discloses (figs. 3 and 4) that the mirror housing has a frame (13) and a cover (12) connected therewith.

In regard to claim 11, Lynam discloses (figs. 3 and 4) that the mirror glass is an EC mirror glass (column 5, lines 30-35).

In regard to claim 13, Lynam discloses (fig. 3) that the sensor circuit board is arranged in the region between an actuator drive (27a, 20) of the interior rearview mirror and mirror glass (14).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lynam et al. (6019475) in view of Turnbull et al. (6980092) as applied to claim 1, and in further view of Stam (6631316).

In regard to claim 6, Lynam in view of Turnbull discloses an interior rearview mirror as set forth above. Lyman in view of Turnbull fails to disclose that the sensor circuit board is wirelessly connected to the electronics circuit board. However, Stam discloses (fig. 2) a system wherein the sensor circuit board (202) is wirelessly connected by signals to the electronics circuit board (203) (column 5, lines 38-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a wireless transmitter in Lynam in view of Turnbull as taught by Stam, in order to reduce circuitry and the size of the system

***Response to Arguments***

Applicant's arguments with respect to claims 1 and 3-16 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bjl

/Georgia Y Epps/  
Supervisory Patent Examiner, Art Unit 2878